

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 18-172—sHB 5169**

*Education Committee*

*Public Health Committee*

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
OFFICE OF EARLY CHILDHOOD**

**SUMMARY:** This act makes the following changes in the statutes governing early childhood care and education:

1. allows any child care center and group or family child care home to provide child care services to homeless children and youths, as defined under federal law, for up to 90 days without meeting physical examination and immunization requirements, and requires these centers and homes to keep records of all such children for two years after they leave (see BACKGROUND) (§§ 1 & 2);
2. allows family child care homes to care for up to three additional school-aged children, including the provider's own children, during the summer months if an Office of Early Childhood (OEC)-approved assistant or substitute staff member is assisting the provider, except that this limit of three and the requirement for additional staff do not apply if it is the provider's own children (§ 4);
3. changes the minimum state school readiness grant to a town from \$25,000 to 5% of the total grant allocation while maintaining the existing \$75,000 cap and grant calculation method (the school readiness program provides grants for a developmentally appropriate education for preschool students ages three to five, who are too young to enroll in kindergarten) (§ 5);
4. requires child care centers, group child care homes, and family child care homes to give their contact information to OEC, rather than the local and state police, and requires OEC to share this information through a memorandum of understanding or agreement with the Department of Emergency Services and Public Protection (DESPP) for use in an emergency notification system that notifies the provider of any emergency situation that may endanger the safety or welfare of the children at the centers or homes (§ 6); and
5. excludes relatives who provide child care to a Care 4 Kids recipient from comprehensive background checks, including state and national criminal history records checks, and instead requires them to submit to other types of background checks, including the Connecticut Online Law Enforcement Communication Teleprocessing System (COLLECT) (see

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### BACKGROUND) (§ 7).

The act also makes minor changes to the licensing requirements for certain child care and group child care homes (§§ 3 & 4). It also makes several technical and conforming changes and requires the adoption of implementing regulations.

EFFECTIVE DATE: July 1, 2018

### § 3 — NEW LICENSE APPLICATION WAIVER

The act removes the requirement for licensed child care centers and group child care homes to submit a waiver request prior to a change of operator, ownership, or location in order for the OEC commissioner to waive the requirement for a new license application.

### § 4 — LICENSE-EXEMPT CHILD CARE PROVIDERS

The act exempts private schools approved by the State Board of Education (SBE) or accredited by an SBE-recognized accrediting agency from child care licensing requirements as long as the ages of children served are covered under such approval or accreditation.

Additionally, it removes the licensing exemption for individuals who are formally or informally providing child care in their own homes to nieces, nephews, or the children of an aunt or uncle (i.e., their cousins) and adds an exemption for great-grandparents. It also grants the licensing exemption to individuals providing such care who are related to a child per court order as a grandparent, great-grandparent, sibling, aunt, or uncle.

### § 7 — BACKGROUND CHECKS FOR CARE 4 KIDS PROVIDERS WHO ARE RELATIVES

Rather than the state and national criminal background checks as required under prior law, the act requires relatives who provide child care services to a child receiving a Care 4 Kids subsidy to submit to the following background checks:

1. state and national sexual offender registry databases;
2. the Department of Children and Families child abuse registry; and
3. COLLECT, maintained by DESPP.

The OEC commissioner must conduct the checks within available appropriations. If the relative's name appears in one of the sources, the commissioner can require the relative to submit to state and national criminal history records checks.

## BACKGROUND

### *Homeless Children and Youths*

Federal law defines “homeless children and youths” as individuals who lack a fixed, regular, and adequate nighttime residence, and includes those sharing the housing of others due to loss of housing, economic hardship, or a similar reason

(42 U.S.C. § 11434a).

*Immunization Requirements for Child Care Providers*

By state law and regulation, children must, with some exceptions, be adequately immunized, as age-appropriate, against specified illnesses (e.g., tetanus, measles, influenza) in order to attend child care centers and group or family child care homes. Children with certain medical conditions or whose parents or guardians object on religious grounds are exempt from this requirement (CGS §§ 19a-79 & 19a-87b).

*COLLECT*

COLLECT is a system that allows Connecticut law enforcement and criminal justice agencies to access information, such as Connecticut motor vehicle records and criminal history data from other states. By law, COLLECT allows certain law enforcement officials to have free access (CGS §§ 2-1f, 7-281a, & 10a-142).